

IPW

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David A. Levine

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Gerald W. KEARBY, et al.

Application Serial No.: 10/770,086

Confirmation No.: 9269

Attorney Docket No.: BOM 1001 - US

Filing Date: 31 January 2004

Titled:

**MEDIA RECEIPT DEVICE
AND SYSTEM AND A
METHOD OF USING THE
SAME**

Examiner: Not Yet Assigned

Group Art Unit: 3629

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit for consideration in the above identified application the documents listed on the attached Form No. PTO/SB/08A (substitute for Form-1449). The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are necessary.

Applicants would appreciate the Examiner initialing and returning the Form No. PTO/SB/08A, indicating that the information has been considered and made of record herein.

This Information Disclosure Statement is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,



David A. Levine

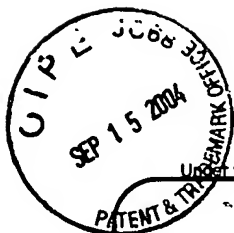
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PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/770,086	
	Filing Date	31 January 2004
	First Named Inventor	Gerald W. Kearby
	Art Unit	3629
	Examiner Name	Not Yet Available
Attorney Docket Number	BOM 1001 - US	
Total Number of Pages in This Submission	5	

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard Form PTO/SB/08A
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Copies of 2 Non-Patent Documents
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David A. Levine, Reg. No. 48,821
Signature	
Date	13 September 2004

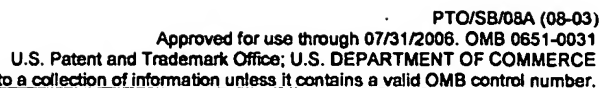
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Typed or printed name	David A. Levine		
Signature		Date	13 September 2004

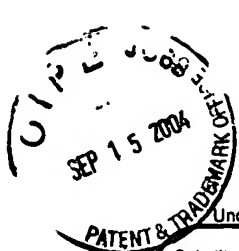
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Application Number	10/770,086
Filing Date	31 January 2004
First Named Inventor	Gerald W. Kearby
Art Unit	3629
Examiner Name	Not Yet Available
Attorney Docket Number	BOM 1001 - US

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/770,086		
		Filing Date	31 January 2004		
		First Named Inventor	Gerald W. Kearby		
		Art Unit	3629		
		Examiner Name	Not Yet Available		
Sheet	2	of	2	Attorney Docket Number	BOM 1001 - US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Instant Live LLC Acquires U.S. Patent", Business Wire, April 7, 2004, < http://home.businesswire.com >.	
		ALPERT, L. I., "Technology Allows Immediate Live-Concert Downloads", Augusta Chronicle, April 30, 2004. < http://augustachronicle.com/stories/050104/mus_LA0434-9.shtml >.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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